

The Board convened a public hearing on January 5, 2012, in accordance with G.L.c. 30A, §§10 & 11; G.L.c. 143, §100; 801 CMR 1.02; and 780 CMR 122.3. All interested parties were provided an opportunity to testify and present evidence to the Board. The following items were admitted into evidence: (1) State Building Code Appeals Board Appeal Application, received December 14, 2011; (2) ten (10) photographs of various exterior and interior view of the building; (3) plans entitled “Proposed Renovation of 25 School Street,” dated October 24, 2011, by David J. Jaquith, Architects & Planners.

Discussion

The Board discussed imposing the following conditions: (1) a two-hour rated wall must be installed between the office spaces and residential space on the first level; (2) a two-hour rated ceiling must be installed between the office spaces and residential space; (3) two layers Type X exterior walls must be installed on the inside of the office against the exterior to protect the structure and any supporting walls (columns, or other supporting elements) must be two-hour rated; (4) a full fire alarm system interconnected between the office and residential spaces must be installed; (5) doorways must be 1.5-hour rated (B label), with rated doors, closures, hardware, frames between residential and office spaces.

The Board considered the economic hardship that would be added if a NFPA 13 sprinkler system had to be installed. (The building has not been in use for several years and requires extensive renovations for Appellant's proposed uses. Appellant will reside in the dwelling, while Appellant and his brother will use the offices spaces for their family business. Appellant will have access to the office spaces from the interior of the residential space.)

Conclusion

The Board considered a motion to allow a variance from 780 CMR 2009 IEBC Section 912.2.1, 2009 IEBC Table 903.2 of Chapter 9 based on the conditions set forth above ("Motion"). The Motion was **approved** by a two to one vote, (Nunnemacher opposed).



H. Jacob Nunnemacher

Douglas Semple, Chair

Alexander MacLeod

Any person aggrieved by a decision of the State Building Code Appeals Board may appeal to Superior Court in accordance with G.L. c.30A, §14 within 30 days of receipt of this decision.

DATED: February 28, 2012